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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

**KENNETH MEDENBACH,
AMMON BUNDY, RYAN BUNDY,
JON RITZHEIMER, RYAN PAINE,
JOSEPH O'SHAUGHNESSY,
BRIAN CAVALIER, BLAINE COOPER,
PETER SANTILLI, SHAWNA COX,
JASON PATRICK, DYLAN ANDERSON,
DUANE LEO EHMER, DAVID LEE FRY,
SANDRA LEE ANDERSON,
JEFF WAYNE BANTA, WESLEY KJAR,
GEOFFREY STANEK, TRAVIS COX,
SEAN ANDERSON, NEIL WAMPLER,
JASON CHARLES BLOMGREN,
DARRYL WILLIAM THORN,
COREY LEQUIEU, JAKE RYAN,
ERIC LEE FLORES AND TEXAS SCOTT
WILLINGHAM**

Case No. **3'16 CV 1617- NO**

COMPLAINT

JURY TRIAL DEMANDED

Plaintiff(s),

vs.

**ANNA J. BROWN, CRAIG GABRIEL,
GEOFF BARROW, ETHAN KNIGHT
AND BILLY WILLIAMS**

Defendant(s).

COMPLAINT I

I. Parties to the Complaint

A. Plaintiffs

**KENNETH MEDENBACH, 135887 Main St., PO Box 333, Crescent, OR 97733
AMMON BUNDY,
RYAN BUNDY,
JON RITZHEIMER,
RYAN PAINE,
JOSEPH O'SHAUGHNESSY,
BRIAN CAVALIER,
BLAINE COOPER,
PETER SANTILLI,
SHAWNA COX,
JASON PATRICK,
DYLAN ANDERSON,
DUANE LEO EHMER,
DAVID LEE FRY,
SANDRA LEE ANDERSON,
JEFF WAYNE BANTA,
WESLEY KJAR,
GEOFFREY STANEK,
TRAVIS COX,
SEAN ANDERSON, NEIL WAMPLER,
JASON CHARLES BLOMGREN,
DARRYL WILLIAM THORN,
COREY LEQUIEU,
JAKE RYAN,
ERIC LEE FLORES,
TEXAS SCOTT WILLINGHAM**

B. Defendants,

ANNA J. BROWN, 503-326-8000	1000 SW Third Ave., Portland, OR 97204
CRAIG GABRIEL, 503-326-8000	1000 SW Third Ave. ,#600 Portland, OR 97204
GEOFF BARROW, 503-326-8000	1000 SW Third Ave.,#600 Portland, OR 97204
ETHAN KNIGHT, 503-326-8000	1000 SW Third Ave., #600 Portland, OR 97204
BILLY WILLIAMS 503-326-8000	1000 SW Third Ave., #600 Portland, OR 97204

COMPLAINT2

II. Basis for Jurisdiction Federal Question

- A.** 1STAT 73, Sec.8, Judiciary Act 1789 now 28 USC 453 and 28 USC 453 amended in Judicial Improvement Act of 1990.

III. Statement of Claim

There is no question that the requirement of the oath of office is fundamental to any public official's exercise of their official duties. That was made perfectly clear during the inauguration of President Obama in 2013. The oath was administered by the Chief Judge of the Supreme Court, Justice Roberts. During the recitation of the oath, both men appeared to fumble with the proper language of the oath. While the media treated it as a funny outtake, obviously both men understood the significance because later media reports came out showing the President retaking the oath with the Chief Justice.

Unlike the Presidential Oath of Office, the wording of the justices and judges oaths are not explicitly defined in the text of the United States Constitution. However, according to Article VI of the Constitution:

"The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious test shall ever be required as a Qualification to any Office or public Trust under the United States."

In 1789, Congress sought to remedy this omission by drafting an official oath. This first version was used until 1861. The text was short, a single sentence. It read:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States."

The text now reads:

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

This oath of office, much more specific and lengthy than the original, is now used by every federal office investiture except for the office of the President.

Appointees to the Supreme Court and inferior courts must not only take the oath listed above, but a second oath. This statement is called **The Judicial Oath**. The Judiciary Act of 1789 established the federal judiciary. The Act set the number of Supreme Court Justices at six (five Associate Justices and one Chief Justice). It also mandated that justices and judges for the Supreme Court and inferior courts to begin serving, they must swear a second Oath of Office. The original text of this was:

*"I, _____, do solemnly swear or affirm that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as _____, **according to the best of my abilities***

and understanding, agreeably to the constitution and laws of the United States. So help me God."

This oath was used until 1990 when the Judicial Improvements Act replaced the phrase beginning with "**according to the best of my abilities and understanding, agreeably to the constitution...**" to "**under the Constitution.**" This language proved reasonably more effective in tying the decisions of the judiciary to the authority of the United States Constitution.

Frequently, appointees to the Supreme Court and inferior courts have elected to take a **Combined Oath** which brings the two affirmations together in one statement.

Under 28 USC 453 amended, each justice or judge of the United States shall take the following oath or affirmation before performing the duties of his/her office:

*"I, ____ ____, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ____ **under the Constitution** and laws of the United States. So help me God."*

This oath is mandated by 28 USC 453 amended to justices and judges either by itself or in a Combined Oath, this is the law.

Anna J. Brown did not take this oath before performing the duties of her office:

IV Relief

We are demanding that plaintiffs in custody be released immediately and that all criminal matters now pending under Case No. 3:16-CR-00051 be dismissed until there is a court of competent jurisdiction. We are seeking punitive damages for time while incarcerated amounting to no more than \$100,000 per plaintiff. In addition plaintiffs claim actual damages relating to lost wages totaling no more than \$50,000 per plaintiff.

V.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

August 8, 2016


Kenneth Medenbach

CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2016, I made service of the following document: COMPLAINT,
By placing a copy in a first-class postage paid envelope in Crescent, Oregon for delivery by U.S. mail
To the address set below;

United States of America
United States Attorney's Office
1000 SW Third Ave., Suite #600
Portland, OR 97204

A handwritten signature in black ink, reading "Kenneth Medenbach", written over a horizontal line.

Kenneth Medenbach
135887 Main St., PO Box 333
Crescent, OR 97733